

A motion to reconsider was laid on the table.

SECURITIES AND EXCHANGE COMMISSION REPORTING MODERNIZATION ACT

Mr. HENSARLING. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3032) to amend the Securities Exchange Act of 1934 to repeal a certain reporting requirement of the Securities and Exchange Commission.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3032

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Securities and Exchange Commission Reporting Modernization Act”.

SEC. 2. ELIMINATION OF REPORTING REQUIREMENT.

Paragraph (6) of section 21(h) of the Securities Exchange Act of 1934 (15 U.S.C. 78u(h)) is repealed.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. HENSARLING) and the gentlewoman from Wisconsin (Ms. MOORE) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

□ 1945

GENERAL LEAVE

Mr. HENSARLING. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on this bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. HENSARLING. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 3032, the Securities and Exchange Commission Reporting Modernization Act.

I want to thank the gentlewoman from Arizona (Ms. SINEMA) and the gentleman from Virginia (Mr. HURT), for their very diligent and bipartisan work that resulted in the Financial Services Committee favorably reporting H.R. 3032 on a unanimous vote.

I would also like to thank SEC Chair Mary Jo White and her fellow Commissioners for providing their unanimous recommendation to eliminate this reporting requirement, which the Congress previously repealed for all other regulatory agencies.

No matter how modest the legislation may be, legislative efforts to eliminate unnecessary and otherwise extraneous reporting requirements are exactly the type of proactive suggestions our regulators should provide to the committee for consideration.

Despite the Senate's unwillingness to pass equally bipartisan bills to spur growth, promote capital formation,

and create jobs, I hope our colleagues in the Senate can agree that this exceedingly minor change is worthy of swift enactment.

Again, I want to thank the gentlewoman from Arizona (Ms. SINEMA) and the gentleman from Virginia (Mr. HURT) for their bipartisan work.

Mr. Speaker, I reserve the balance of my time.

Ms. MOORE. Mr. Speaker, I yield myself such time as I may consume.

I am so happy to join the chairman of the Financial Services Committee and Ms. SINEMA in overwhelmingly supporting H.R. 3032.

This bill, of course, will relieve the SEC from unnecessary administrative burdens and enable the already overwhelmed agency to focus resources to other, more mission-critical tasks, examinations, and enforcement.

Mr. Speaker, I yield such time as she may consume to the gentlewoman from Arizona (Ms. SINEMA) to talk about her great legislation.

Ms. SINEMA. Mr. Speaker, I thank Congresswoman MOORE and Chairman HENSARLING for their bipartisan support of this bill. I also thank Congressman ROBERT HURT for being the lead Republican sponsor of this bipartisan legislation.

Mr. Speaker, I rise today in support of our bill, H.R. 3032, the Securities and Exchange Commission Reporting Modernization Act.

Our regulatory system is inefficient, complicated and confusing, which is why it is so important that outdated regulations are reviewed with the goal of modifying them or repealing them to reduce waste and to make them work for everyday Americans.

That is why I have introduced this bipartisan legislation with Congressman HURT, to repeal an unnecessary and outdated reporting requirement in the United States Securities and Exchange Commission.

Since 1995, the SEC has been the only Federal agency required to compile this obscure annual report. It is a waste of taxpayer dollars, and it is a paperwork burden that diverts time and resources from protecting investors.

Modernizing the SEC's reporting requirements will allow the Commission to better focus on its mission of protecting investors; maintaining fair, orderly, and efficient markets; and facilitating capital formation.

I am committed to working with my colleagues on both sides of the aisle to ensure that our financial markets work for everyone, and I hope that Members will join me in support of this bipartisan legislation.

Mr. HENSARLING. Mr. Speaker, I reserve the balance of my time.

Ms. MOORE. Mr. Speaker, I have no more speakers, so I yield back the balance of my time.

Mr. HENSARLING. Mr. Speaker, I have no further requests for time, so I urge all of my colleagues to support this commonsense, bipartisan bill.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. HENSARLING) that the House suspend the rules and pass the bill, H.R. 3032.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

COMMODITY EXCHANGE ACT AND SECURITIES EXCHANGE ACT OF 1934 AMENDMENTS

Mr. HENSARLING. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1317) to amend the Commodity Exchange Act and the Securities Exchange Act of 1934 to specify how clearing requirements apply to certain affiliate transactions, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1317

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. TREATMENT OF AFFILIATE TRANSACTIONS.

(a) COMMODITY EXCHANGE ACT AMENDMENTS.—Section 2(h)(7)(D) of the Commodity Exchange Act (7 U.S.C. 2(h)(7)(D)) is amended—
(1) by redesignating clause (iii) as clause (v);
(2) by striking clauses (i) and (ii) and inserting the following:

“(i) IN GENERAL.—An affiliate of a person that qualifies for an exception under subparagraph (A) (including affiliate entities predominantly engaged in providing financing for the purchase of the merchandise or manufactured goods of the person) may qualify for the exception only if the affiliate—

“(I) enters into the swap to hedge or mitigate the commercial risk of the person or other affiliate of the person that is not a financial entity, and the commercial risk that the affiliate is hedging or mitigating has been transferred to the affiliate;

“(II) is directly and wholly-owned by another affiliate qualified for the exception under this subparagraph or an entity that is not a financial entity;

“(III) is not indirectly majority-owned by a financial entity;

“(IV) is not ultimately owned by a parent company that is a financial entity; and

“(V) does not provide any services, financial or otherwise, to any affiliate that is a nonbank financial company supervised by the Board of Governors (as defined under section 102 of the Financial Stability Act of 2010).

“(ii) LIMITATION ON QUALIFYING AFFILIATES.—The exception in clause (i) shall not apply if the affiliate is—

“(I) a swap dealer;

“(II) a security-based swap dealer;

“(III) a major swap participant;

“(IV) a major security-based swap participant;

“(V) a commodity pool;

“(VI) a bank holding company;

“(VII) a private fund, as defined in section 202(a) of the Investment Advisers Act of 1940 (15 U.S.C. 80-b-2(a));

“(VIII) an employee benefit plan or government plan, as defined in paragraphs (3) and (32) of section 3 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1002);

“(IX) an insured depository institution;